

AFFIDAVIT IN SUPPORT OF APPLICATION FOR CRIMINAL COMPLAINT AND
ARREST WARRANT

I, Ryan D. Anschutz, a Task Force Officer with the Federal Bureau of Investigation (FBI), Cleveland Division, being duly sworn, depose and state as follows:

1. I have been employed as a Mansfield Police Officer for approximately ten years, and am currently assigned to the Cleveland Division, Mansfield Resident Agency's Child Exploitation Task Force. While employed by the Mansfield Police Department and assigned to the FBI, I have assisted in the investigation of federal criminal violations related to Violent Crimes and the FBI's Innocent Images National Initiative, which investigates matters involving the online sexual exploitation of children. I have gained experience through training at the FBI's Innocent Images National Initiative training center and everyday work related to conducting these types of investigations.
2. As a task force officer having received a Special Deputization from the United States Marshal's Office, I am authorized to investigate violations of laws of the United States and to execute warrants issued under the authority of the United States.
3. As will be shown below, there is probable cause to believe that Tyler J. Foreman has received and/or distributed child pornography, in violation of Title 18, United States Code, Section 2252A(a)(2). I am submitting this affidavit in support of an arrest warrant authorizing the arrest of Tyler J. Foreman of Marion Agosta Rd in Marion, Ohio.

DEFINITIONS

4. The following definitions apply to this Affidavit:

- a) “Child Pornography,” as used herein, is defined in 18 U.S.C. § 2256(8) as any visual depiction of sexually explicit conduct where (a) the production of the visual depiction involved the use of a minor engaged in sexually explicit conduct, (b) the visual depiction is a digital image, computer image, or computer-generated image that is, or is indistinguishable from, that of a minor engaged in sexually explicit conduct, or (c) the visual depiction has been created, adapted, or modified to appear that an identifiable minor is engaged in sexually explicit conduct.
- b) “Computer,” as used herein, is defined pursuant to 18 U.S.C. § 1030(e)(1) as “an electronic, magnetic, optical, electrochemical, or other high speed data processing device performing logical or storage functions, and includes any data storage facility or communications facility directly related to or operating in conjunction with such device.”
- c) The “Internet” is a global network of computers and other electronic devices that communicate with each other. Due to the structure of the Internet, connections between devices on the Internet often cross state and international borders, even when the devices communicating with each other are in the same state.
- d) “Internet Protocol address” or “IP address” refers to a unique number used by a computer to access the Internet. IP addresses can be “dynamic,” meaning that the ISP assigns a different unique number to a computer every time it accesses the Internet. IP addresses might also be “static,” if an ISP assigns

a user's computer a particular IP address which is used each time the computer accesses the Internet. IP addresses are also used by computer servers, including web servers, to communicate with other computers.

BACKGROUND OF THE INVESTIGATION AND PROBABLE CAUSE

5. On November 22nd, 2018, TFO Ryan D. Anschutz received/opened CyberTip #43341285 that reported the "apparent enticement of a minor to engage in sexual activity." "Conversations between the Tyler Foreman (UID 100002245181293) account and the victim [her name has been redacted but is known to law enforcement] (UID 100029920451519) account indicate they may have met in order to engage in sexual activity and appear to be in close proximity to each other. Additionally, this report details the apparent enticement of a minor to produce and share apparent child exploitation images (CEI). All content, including conversations and images, reference in this report has been reviewed by an analyst at Facebook."

6. A sample of excerpts of conversations provided by Facebook in the CyberTip are listed below:

a. [Tyler Foreman (100002245181293) – 11/04/2018 7:22:34am PST]

"I mean you did say how you was going to tease me everyday and be in my room most of the time and wake me up...and just be really sexual all the damn time...might as well watch a porno before we have sex everytime..."

[Victim (100029920451519) – 11/04/2018 7:22:54am PST]

"Yes?"

[Tyler Foreman (100002245181293) – 11/04/2018 7:23:10am PST]

“Would you like that...”

[Victim (100029920451519) – 11/04/2018 7:23:24am PST]

“I think?”

[Victim (100029920451519) – 11/04/2018 7:23:31am PST]

“Yes?”

[Victim (100029920451519) – 11/04/2018 7:23:34am PST]

“Maybe”?

[Victim (100029920451519) – 11/04/2018 7:23:37am PST]

“No?”

[Victim (100029920451519) – 11/04/2018 7:24:10am PST]

“I can’t think”

[Tyler Foreman (100002245181293) – 11/04/2018 7:24:39am PST]

“Is it because id be getting hard from watching another girl...”

[Victim (100029920451519) – 11/04/2018 7:25:02am PST]

“A little bit?”

[Victim (100029920451519) – 11/04/2018 7:25:07am PST]

"I think?"

[Tyler Foreman (100002245181293) – 11/04/2018 7:25:41am PST]

"I could just tell you to strip down and give me a lap dance...or something else..."

[Victim (100029920451519) – 11/04/2018 7:28:25am PST]

"Idk how to respond"

[Tyler Foreman (100002245181293) – 11/04/2018 7:28:52am PST]

"Okay...well I'm cold a little so let just cuddle for now..."

b. [Tyler Foreman (100002245181293) – 11/05/2018 1:06:17pm PST]

"Eh...why couldn't you come sit on me this morning"

[Victim (100029920451519) – 11/05/2018 1:07:08pm PST]

"Aww I would have loved that"

[Victim (100029920451519) – 11/05/2018 1:07:22pm PST]

"So so so so much"

[Tyler Foreman (100002245181293) – 11/05/2018 1:07:34pm PST]

"I would have cummed somuch sooner..."

c. [Tyler Foreman (100002245181293) – 11/07/2018 6:29:59pm PST]

"Well I love you as a sister because well you are my sister...but your not annoying or anything like (identifies a different minor child by name)...you have more in common with

Andy (an unidentified male) and more so me than (identifies a different minor child by name) excluding being a girl...and as for like like you...well your kind, caring, loving, you can sometimes be annoying...but it's your way of showing how much you love someone...it's you...you have a lot in common with me also...you don't mind my music, you actually like some of my music...we may not have everything in common but no one ever will...hell twins don't have everything in common...there's always a way to tell them apart...you may be needy but I understand that...your family situation is what mine could have been...and I know that...which is partly why we actually somehow fell in love with each other...it's also not exactly common to get asked how often you masturbate by a friend or a lover...let alone a sister...and honestly it's probably more so now than before because of you...your sweet yet mean, dominant yet submissive, weak yet strong.. exactly what I would want in a lover..the oddest part...excluding the incest part between us I think is the age.. 7 years ...kind of a lot...mentally we are a lot closer...but physically we are not..sure your bigger than I am...and also look older than I am...but I love you for your...am I guilty of loving you for you...no never...am i wanting to f my sister...my youngest sister that just turned 13...a little...but I still would...hard and rough...I'd do anything to make you happy and anything to make you safe...I'll always be there for you and always be willing to help you...and that's what makes you special to me...is because of how you are vs other people.....just in case you forgot"

[Tyler Foreman (100002245181293) – 11/07/2018 6:41:33pm PST]

"That's why your special to me...but why am I to you...you never really said much other then you couldn't express it..."

d. [Tyler Foreman (100002245181293) – 11/14/2018 3:40:02am PST]

"I want you on me...I'm getting hard and horny..."

[Victim (100029920451519) – 11/14/2018 3:40:39am PST]

"I want that to but y r u getting horny"

[Tyler Foreman (100002245181293) – 11/14/2018 3:40:02am PST]

"Thinking about watching you masturbate naked in front of me"

e. [Tyler Foreman (100002245181293) – 11/14/2018 3:43:44am PST]

"Yes my lovely love...that and you being on my hard cock and everything..."

f. [Tyler Foreman (100002245181293) – 11/14/2018 3:45:22am PST]

"So much babe...so so much do I want to do to you...but I also just want to cuddle you and make you feel safe..."

g. [Tyler Foreman (100002245181293) – 11/14/2018 3:46:43am PST]

"And because we are having a secret incestuous relationship between us"

h. [Tyler Foreman (100002245181293) – 11/14/2018 4:02:07am PST]

"I want you on my hard cock now..."

[Victim (100029920451519) – 11/14/2018 4:02:52am PST]

"I want to be on your hard cock"

[Tyler Foreman (100002245181293) – 11/14/2018 4:03:25am PST]

"Come sit on it...and massage it with your tight little asshole and pussy please..."

i. [Victim (100028128332902) – 10/27/2018 6:23:03pm PST]

“*The (Victim) account (UID 100028128332902) sent an image reported as apparent CEI: CT 43212360*”.

7. Ohio Internet Crimes Against Children Task Force requested subscriber information for FORMAN's listed IP address 204.210.234.251 through Charter Communications on 11/20/2018. The results from the subpoena yielded subscriber information returning to TYLER FORMAN of 6605 Marion Agosta Rd, Lot 225, Apt 225, Marion, Ohio 43302.

8. On November 22nd, 2018 TFO Ryan D. Anschutz made contact with the victim at which time she stated that she has sent sexually explicit photos and videos to FOREMAN on her cellular device.

9. A consent to search was signed and completed for the cellular device, Motorola Moto E4 with an ESN: 355668086651069, by the owner of the device, who is the victim's guardian/custodian. On November 22nd, 2018 a forensic exam was completed on the cellular device the victim was using to communicate with FOREMAN. The exam revealed the victim sending sexually explicit photos and videos to the phone contact "Bub" with telephone number 740-262-9399. It is of note that this telephone number was used as an identifying number for the Facebook account, tyler.foreman.3760.

10. On Wednesday, November 28th, 2018, a forensic interview of the victim was conducted by Crawford County Children Services. During the interview the victim identified sexually explicit photographs that she had produced and sent via her cellular device to FOREMAN. The victim further identified photographs that she received from FOREMAN showing his face and exposed erect penis.

11. On Thursday, December 6th, 2018, a voluntary interview was conducted with FOREMAN at the Marion Police Department in Marion, Ohio. During the interview FOREMAN admitted to engaging the juvenile victim in sexually explicit conversation and receipt of sexually explicit images on the aforementioned cellular device: ZTE Z799VL S/N: 9ab9cc3d; IMEI: 990006892223040. FOREMAN further explained the sexually explicit images to contain photos of the victim's exposed genitalia.

12. During the interview with FOREMAN, he stated that after speaking to TFO R. Anschutz via telephone on or about November 29th, 2018, he deleted the communications on his cellular device with the victim because he stated he thought he was going to have to "delete them anyways" during the interview on December 6th, 2018. FOREMAN stated that he solely used ZTE Z799VL S/N: 9ab9cc3d; IMEI: 990006892223040 device to communicate via SMS/MMS messaging and Facebook Messenger to the victim.

Search of ZTE Z799VL S/N: 9ab9cc3d; IMEI: 990006892223040

13. On December 19, 2018 pursuant to a federal search warrant, a forensic extraction of data was conducted on the ZTE Z799VL S/N: 9ab9cc3d; IMEI: 990006892223040 device.

14. FOREMAN's cellular device extraction revealed user accounts to include: tyler.148b@yahoo.com, Facebook User ID of 100002245181293 (which is noted to be the same Facebook User ID identified by Facebook in the aforementioned CyberTips), username tyler.foreman.58958, and phone number 740-262-9399.

14. FOREMAN's cellular device revealed that the conversation via SMS/MMS and the contact information for the victim had been deleted including pictures and videos. The forensic extraction was able to retrieve a conversation SMS and MMS thread between the

victim and FOREMAN and revealed approximately 2800 messages exchanged between August 6th, 2018 and November 25th, 2018. A sample of the messages are provided below:

a. MMS message sent from FOREMAN's device on 11/23/2018 at 12:04AM –
“Come sit on me...I need you on my hard cock now...”

b. MMS message sent from FOREMAN's device on 11/17/2018 at 5:04AM –
“I'm nice and hard for you come sit on my hard cock and let me clean your pussy and asshole with my tongue then fuck your brains out before I cum in your pussy and fill you up.”

c. SMS message sent from FOREMAN's device on 11/17/2018 at 5:06AM –
“Can you get a picture of your fist up your tight little asshole babe...that'd be really really really hot...”

15. FOREMAN's cellular device extraction yielded a photo that depicts an image of child pornography of the victim that had been sent through Facebook Messenger as identified in the aforementioned CyberTips. The photo from the extraction is described below:

a. Title: QL98arTyz6XdUXrjRF1VQi1kPw.cnt

MD5: 532E14BE6F4C1B7DD1C4D6A04C65EDA1

Description: The file path originate from the cache folders of the Facebook application. The photo is described as a color photograph of an exposed female genitalia.

CONCLUSION

14. Based on the aforementioned factual information, your affiant respectfully submits that there is probable cause to believe that Tyler J. Foreman did receive child pornography and has violated Title 18 U.S.C. § 2252A(a)(2).

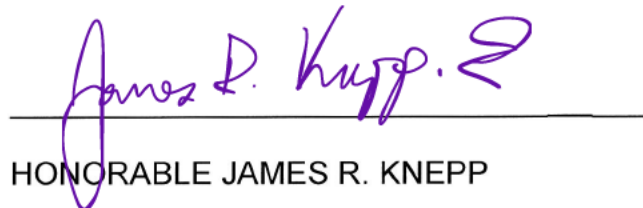


Ryan D. Anschutz

Task Force Officer

Federal Bureau of Investigation

Sworn to via telephone after submission by reliable electronic means. Fed. R. Crim. P. 4.1
and 41(d)(3) this 21st Day of December, 2018



HONORABLE JAMES R. KNEPP

UNITED STATES MAGISTRATE JUDGE